

## Message Text

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53

ACTION AF-04

INFO OCT-01 SS-14 ADP-00 NSC-10 NSCE-00 PM-03 L-02 PRS-01

CIAE-00 INR-10 NSAE-00 RSC-01 DODE-00 EUR-10 NEA-06

RSR-01 /063 W

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R 231120Z JUL 73

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC 6849

S E C R E T KHARTOUM 1655

LIMDIS

E.O. 11652: GDS

TAGS: PINS, SU

SUBJ: TRIAL OF TERRORISTS: INQUIRY CHANNEL AND U.S. "PRESSURE"

REF: KHARTOUM 1654

1. BEGIN SUMMARY. FONMIN UNDERSEC AGREES TO BE OFFICIAL CHANNEL (ON SELECTIVE BASIS) FOR USG INQUIRIES ON TRIAL. CHARGE NOTES ALLEGATIONS OF US "PRESSURE". END SUMMARY.

2. DURING CALL ON FONMIN UNDERSEC FADL OBEID REPORTED REFTTEL, I NOTED I HAVE BEEN SCRUPULOUS IN AVOIDING DIRECT CONTACT WITH SUDANESE JUDICIAL AUTHORITIES IN ORDER AVOID COMPROMISING THEM IN PALESTINIAN EYES OR ADDING FUEL TO PALESTINIAN PROPAGANDA CONCERNING USG PRESSURE. I AM BOTHERED, HOWEVER, ON TOW COUNTS:

A. OFFICIAL CHANNEL. IN AN EARLIER EFFORT (KHARTOUM 1321), THE EMBASSY HAD BEEN REBUFFED IN OBTAINING DEFINITIVE INFORMATION THROUGH THE FOREIGN OFFICE ON AN ASPECT OF THE TRIAL (E.G., CHARGES) ON THE GROUND THAT THE ATTORNEY GENERAL'S OFFICE AND THE COURT DID NOT RECOGNIZE THE RIGHT OF ANY GOS ORGAN TO REQUEST INFORMATION. THE EARLIER REQUEST HAD BEEN EMBASSY ORIGINATED; MY CURRENT INQUIRY WAS UNDER INSTRUC-

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TIONS. I FELT IT INSUFFICIENT FOR THE EMBASSY (AND USG) TO BE

DEPENDENT ON INDIRECT SOURCES AND THAT THERE WOULD PROBABLY BE OCCASIONS SUCH AS THE PRESENT WHEN WE WOULD WISH TO SEEK DEFINITIVE GOS RESPONSES. WHAT WAS HIS VIEW ON THIS MATTER AND WHAT CHANNEL SHOULD BE USED? OBEID RESPONDED BY EXPRESSING HIS APPRECIATION FOR OUR RESTRAINT IN NOT APPROACHING THE JUDICIAL AUTHORITIES DIRECTLY. HE THOUGHT THAT WAS IMPORTANT. WE THEN FENCED OVER THE KIND OF FUTURE INQUIRIES WE MIGHT MAKE WHICH I GENERALLY CATEGORIZED AS PROCEDURAL. HE TOOK POSITION SUDANESE LAW IS CLEAR EVEN TO FOREIGNERS AND NEEDS NO INTERPRETATION. THE UPSHOT, HOWEVER, IS THAT OBEID UNDERTOOK TO BE A DIRECT CHANNEL FOR MY INQUIRIES WHILE RESERVING THE OPTION OF DECIDING WHETHER THEY ARE THE KIND WHICH THE GOS SHOULD CONVEY. I AM CONTENT TO LET THE MATTER REST THERE FOR THE PRESENT.

B. USG "PRESSURE". CONVERSATION ALSO GAVE AN OPPORTUNITY TO BRING TO HIS ATTENTION THE STATEMENT BY FATAH LEADER ABU IYAD TO PALESTINIANS STUDENTS SEMINAR CAIRO JULY 16 (FBIS) WHICH NOTED "...ROGERS ASSERTION THAT US RELATIONS WITH SUDAN WOULD DEPEND ON THE EXECUTION OF THE PEOPLE". AS OBEID KNEW, US IS ACTING PROPERLY AND ANY "PRESSURE" THAT EXISTS IS NOT FROM U.S. I HAD THUS BEEN PARTICULARLY DISAPPOINTED SEVERAL WEEKS AGO AT REPORTED STATEMENT BY ABU QASSIN (SSU DEPSEC GEN) IN CAIRO (FBIS JUNE 24) IN WHICH HE REPORTEDLY STATED THAT USG HAD NOT BROUGHT ANY PRESSURE, BUT THAT THE TERRORISTS WOULD BE SET FREE IMMEDIATELY IF PRESSURE WERE EXERTED. I HAD NOT RAISED THE MATTER AT THE TIME AS I DID NOT WANT IT TO BE AN INCIDENT, BUT WE WERE NATURALLY SENSITIVE TO ANY COMMENTS FROM GOS OFFICIALS WHICH COULD BE CONSTRUED AS GIVING SUPPORT TO THE "PRESSURE" THESIS. OBEID SAID HE FOUND IT DIFFICULT TO BELIEVE QASSIM WAS QUOTED ACCURATELY AS HE KNEW HIM WELL AND QASSIM HAD EVEN ADVOCATED BLOWING UP THE SAUDI EMBASSY ALONG WITH THE TERRORISTS AFTER THE MURDERS OCCURRED. HE AGREED ANY ALLUSIONS TO US PRESSURE WERE IMPROPER AND WOULD INQUIRE DISCREETLY WHETHER QASSIM'S STATEMENT HAD OCCURRED. (UK DCM INFORMED ME RECENTLY THAT HMG AMB HAD RAISED ABU QASSIM STATEMENT WITH MININFO OMER HAJ MUSA AS "BAD TASTE" AND INQUIRED IF USG WERE EXERTING PRESSURE ON GOS? MUSA MADE NO COMMENT ABOUT ABU QASSIM, BUT STATED USG BEHAVIOR HAD BEEN "ADMIRABLE"

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AND GOS VERY APPRECIATIVE.)

3. COMMENT: IN VIEW GOS ADVERSE REACTION TO PROPAGANDA AS EVIDENCE BY THE "NEWSWEEK" AFFAIR AND WHETHER TRIAL WILL BE PUBLIC, I BELIEVE IT USEFUL ON SELECTIVE AND JUDICIOUS BASIS TO LET OBEID KNOW WHAT VOICE OF PALESTINE SAYS. FRITTS

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